

From: [Deibert, Pat](#)
To: [Thabault, Michael](#)
Cc: [Patty Gelatt](#); [Susan Linner](#); [Laura Romin](#); [Nicole Alt](#); [Matt Kales](#); [Ryan Moehring](#); [Seth Willey](#)
Subject: Re: Questions for the Record: 2/27/14 ESA Oversight hearing
Date: Friday, March 21, 2014 10:04:48 AM
Attachments: [Response for Rep. Chaffetz - UT \(2\).docx](#)

As per Mike's comments please see the revised response to Rep. Chaffetz

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On Fri, Mar 14, 2014 at 8:14 AM, Thabault, Michael <michael_thabault@fws.gov> wrote:
Pat, per my voice mail I think the answer to the question is generic to how we might approach this across the range vs. just in UT. Of course presumption in the question is we are not using best science so should probably address that as well. I have GSG admin record so I think covered here. Garton contract?

Patty/Susan, do we have a CD with lit cited on it?

Laura, Did the response we just sent have the lit cited for UT-pdog in it? If so can we replicate it?

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From: **Kelhart, Megan** <megan_kelhart@fws.gov>
Date: Thu, Mar 13, 2014 at 12:26 PM
Subject: Questions for the Record: 2/27/14 ESA Oversight hearing
To: Ryan Moehring <ryan_moehring@fws.gov>, Nicole Alt <nicole_alt@fws.gov>, Michael Thabault <michael_thabault@fws.gov>
Cc: Gary Frazer <gary_frazer@fws.gov>, Paul Souza <paul_souza@fws.gov>

Hi Ryan, Nicole, and Mike,

I hope you're doing well. Two weeks ago, Michael Bean testified before the House Oversight and Government Subcommittee on Energy Policy, Health Care, & Entitlements on the Endangered Species Act. We recently received questions for the record from the Committee; they're solely from Rep. Jason Chaffetz (R-UT).

After working with the Department and Michael, Paul asked me to reach out to you all to see if you could please help by providing an answer to the Q1 below and if you could please

send the literature cited for listing decisions on Greater, Gunnison and UTPD.

Finally, in addition to those two questions, if you have a copy of the contract for the Garton publication we cite and contracted/provided grant funding for, that would be great.

Thank you and let me know if you have any questions.

Megan

1. (1) How does the FWS intend to define and establish a baseline habitat disturbance metric, that is based on the most recent and scientifically accurate data, within Greater Sage-Grouse habitat areas in Utah?

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Question: How does the FWS intend to define and establish a baseline habitat disturbance metric that is based on the most recent and scientifically accurate data, within Greater Sage-Grouse habitat areas in Utah?

Habitat loss and fragmentation has been identified in the scientific literature (spanning back 60 years) as the primary cause of declining sage-grouse populations. These two items, along with the lack of sufficient regulatory mechanisms to address habitat loss and fragmentation, were the primary factors in the FWS's 2010 warranted but precluded determination. Controlling additional disturbance in sage-grouse habitats is essential to the long-term conservation of the species, and to removing the primary threats that warranted its current listing status. The FWS has strongly supported the use of disturbance caps to minimize habitat loss and fragmentation where habitats cannot be left completely undisturbed due to conflicting land uses and valid existing rights.

The FWS has no authority over the Greater sage-grouse, a species completely under the management of the States. FWS management of sage-grouse habitats is limited to lands under our jurisdiction – namely national wildlife refuges which comprise 1 percent of the species's remaining habitats. Given our limited authority on the species and its habitats, we have deferred the establishment of baseline habitat disturbance metrics to the species experts within the states, and other federal agencies (namely the BLM and FS which collectively manage approximately 60% of the species's extant range). However, we have provided guidance for tackling this difficult issue, while allowing for local flexibility in the development of the final metrics.

- In March 2013 the FWS released the Conservation Objectives Team Report, developed by state and FWS employees, which identifies the degree to which threats that resulted in the 2010 warranted determination need to be reduced or ameliorated to conserve sage-grouse so that the species is no longer in danger of extinction or likely to become in danger of extinction in the foreseeable future. In that report each individual state within the range of sage-grouse, including Utah, identified Priority Areas of Conservation (PACs), defined as key habitats necessary for sage-grouse conservation in the development of state management plans for this species. Recommendations in the report are focused on conserving these areas of highest conservation value to the species. The extent to which disturbance within these areas can be avoided or minimized will ensure that one of the primary threats to the species is reduced, a fact that will be fully considered in our 2015 listing determination.

Summary: Disturbance caps are proposed as a key method to address continuing habitat loss and fragmentation, the primary cause of sage-grouse population declines and the key factors contributing to the 2010 warranted but precluded finding. The FWS has deferred the definition of the baseline habitat metric for establishing disturbance to the species experts (the state biologists) and the primary species habitat managers (BLM and FS). However the FWS continues to support avoidance and minimization of all impacts to Priority Areas of Conservation, as identified by the state, as critical to species conservation.